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Preparatory Committee
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Item 5 of the provisional agenda

STATUS OF PREPARATION OF PUBLICATIONS, STUDIES AND DOCUMENTS FOR THE WORLD CONFERENCE

Note by the Secretariat

Addendum

Contribution by the Asian-African Legal Consultative Committee

1. The attention of the Preparatory Committee is drawn to the attached document entitled "The Kampala Declaration on Human Rights" prepared by the Asian-African Legal Consultative Committee, an intergovernmental organization comprised of 43 Asian and African States established as a result of the Bandung Conference in 1955 and based in New Delhi. The Committee held its thirty-second session from 1-6 February 1993 in Kampala. Mr. F.X. Njenga, Secretary General of the Committee, requested by letter dated 3 March 1993 addressed to the Secretary General of the World Conference on Human Rights that this document be circulated as an official document of the fourth session of the Preparatory Committee.

2. Among its most salient provisions, the Kampala Declaration declares the right to development to be an inalienable human right and calls upon all States to cooperate in the "essential task of eradicating poverty as an indispensable requirement for (the) universal realization of human rights."

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THE KAMPALA DECLARATION ON HUMAN RIGHTS

Adopted by the Asian-African Legal Consultative Committee at its Thirty-second Session held in Kampala, Uganda, on 6th February 1993

THE ASIAN-AFRICAN LEGAL CONSULTATIVE COMMITTEE

Having held its 32nd Session in Kampala, Uganda, from 1-6, February 1993;

Recalling the provisions of the Charter of the United Nations and the Universal Declaration of Human Rights as well as other international instruments in the field of human rights;

Mindful of General Assembly Resolution 45/155 of December 18, 1990 which inter alia called for the convening of the World Conference on Human Rights in 1993;

Mindful also of General Assembly Resolution 46/166 and appreciative of the work of the PREPCOM of the World Conference on Human Rights during the preceding Sessions;

Bearing in mind the forthcoming final Session of the PREPCOM preparing for the World Conference on Human Rights to be held in Vienna in June 1993;

DECLARES THAT

1. The Universal Declaration of Human Rights proclaims a common understanding of all the peoples of the world in the field of human rights and gives help, guidance and inspiration to humanity in the promotion of human rights and fundamental freedoms.

2. Since the adoption of the Universal Declaration of Human Rights, the United Nations has through the adoption of various international instruments made much progress in defining standards for the promotion, enjoyment and protection of human rights and fundamental freedoms. It is an obligation of the members of the international community to ensure the observance of these rights and freedoms.

3. The International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples, the International Convention on the Elimination of All Forms of Racial Discrimination, Declaration on the Right to Development as well as other conventions, declarations, proclamations, decisions, principles and resolutions in the field of human rights adopted under the auspices of the United Nations, the specialized agencies and regional inter-governmental organizations, have created new standards and obligations to which all countries should conform.

4. All States that have not yet ratified or acceded to the International Covenant on Civil and Political rights, the International Covenant on Economic Social and Cultural Rights and other international human rights conventions should make every effort to do so.

5. It is the obligation of all members of the international community to ensure that the principles enshrined in the Charter of the United Nations and in other international human rights instruments are enforced. All Governments, organizations and peoples should promote the universal

respect and observance of human rights.

6. Peace and security are a prerequisite for the full realization of all inalienable and indivisible human rights. Efforts should be made to save present and future generations from the scourge of wars and armed conflicts, and to maintain international peace and security in accordance with the Charter of the United Nations.

7. The validity and universality of human rights, whether civil, political, economic, social or cultural is indispensable and these rights must be protected, upheld and promoted by all. To this end, all governments have a special duty to ensure that the constitutions and laws of their States that relate to human rights are in compliance with international human rights standards and are observed and respected.

8. The right to development is an inalienable human right. The vital importance of economic and social development to the full enjoyment of human rights, should be further recognized and underscored. It is undoubted that the existence of widespread poverty is a main reason resulting in the insufficient enjoyment of human rights by the majority of humanity. Therefore, all states should co-operate in the essential task of eradicating poverty as an indispensable requirement for universal realization of human rights.

9. Sustainable Development and the Environment are intrinsically linked and should not be considered in isolation from each other. Sustainable Development cannot be merely an abstract-concept and should be promoted and strengthened through the process of social and economic

development. The human right to a clean and salubrious environment requires to be progressively developed and codified.

10. The principle of the indivisibility and interdependence of human rights has been recognized and must be given effect in policy formulation and implementation. Civil and political rights cannot be disassociated from economic, social and cultural rights in their conception as well as universality and the satisfaction of economic, social and cultural rights are a guarantee for the enjoyment of civil and political rights. None of these rights should be given precedence over the others.

11. The primary responsibility for implementing and giving effect to human rights is at the national level. Consequently, the most effective system or method of promoting and protecting these rights has to take into account the nation's history, culture, traditions, norms and values. There is no single universally valid prescription model or system. Whilst the international community should be concerned about the observance of these rights, it should not seek to impose or influence the adoption of their criteria and systems on developing countries. It should be sensitive to the unique aspects of each situation and establish impartiality and genuine concern on human rights problems by objective and acceptable factual analysis of events and situations.

12. The promotion and protection of the rights of vulnerable groups such as women, children, refugees, disabled, migrant workers and minorities should be given special attention and priority.

13. The international community should devise effective action plans and concrete measures to overcome the current obstacles to the full realization of human rights, namely, threat to peace and security, foreign aggression and occupation, colonization, racism, racial discrimination, apartheid, terrorism, xenophobia, ethnic and religious intolerance and human rights abuse thereof, denial of justice, torture, unfair and unjust international economic order, widespread poverty and illiteracy, worsening economic situation of developing countries and heavy burden of external debts.

14. The rule of law and the administration of justice in every country shall be inspired by the principles enshrined in the Universal Declaration of Human Rights and other international human rights instruments relating to the administration of justice

15. The international community recognizes the importance of the rule of law, the independence of the Judiciary and the administration of justice in the development process. To this end, governments, regional and international financial institutions and the donor community are called upon to give necessary financial resources and assistance to enable those entrusted with the administration of justice to carry out their tasks.

16. The international community affirms that training, equipment and incentives be provided to those State agencies involved in the Administration of Justice within the developing countries on the basis of their need and request. To this end, governments, regional and international financial institutions and the donor community are urged to give the necessary resources.

17. The international community calls upon States to ensure that Law Enforcement Officials shall in the performance of their duties respect and protect human dignity and maintain and uphold human rights of all persons in accordance with international standards enshrined in the Universal Declaration of Human Rights and international human rights instruments regarding arrest, prosecution, detention, imprisonment, protection against torture, cruel, inhuman or degrading treatment or punishment.

18. Co-operation between national, regional and international organizations in the field of human rights should be encouraged by all peoples of the world.

19. Non-governmental organizations in the field of human rights have an important role in the promotion of human rights. Their ideals and activities could be mobilized into the process of universal realization of human rights.

20. The public awareness and concerns of human rights should be enhanced. Citizens should have appropriate access to information concerning their rights, and opportunity to participate in decision-making process. States should encourage and facilitate the public awareness and participation.

21. The United Nations system in the field of human rights is urged to use existing mechanisms and resources effectively and efficiently. The improvement of existing institutional mechanisms and the enhancement of their better co-operation and co-ordination should be undertaken. All the members of the international community are called upon to contribute additional financial and other resources for human rights activities.